

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Labour Department – Allegations of corruption against Sri B. Shaik Shavali, Assistant Commissioner of Labour, Anantapur, Anantapur District – Trapped by Anti Corruption Bureau on 16.03.2004 – Prosecution – Charge sheet filed- Convicted by the court of the Additional Special Judge for SPE & ACB Cases, City Civil Court Hyderabad – Imposing the punishment of dismissal from service – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 45

Dated: 28.5.2010.
Read the following:

1. From the DG, ACB., 78/ RCT-ATP/2004- S14, Dt. 19.03.2004
2. Govt. Memo .No. 3/vig/2004-1, Dated 06.04.2004.
3. From the COL, Proceedings No. R1/5125/2004, Dated 03.04.2004.
4. From the DG, ACB., Rc. 78 / RCT- ATP/2004, Dated 31.05.2004.
5. G.O.Ms.No. 60, LET&F (Vig) Deptt., Dated 01.12.2004.
6. Representation from Sri Shaik Shavali, ACL, Ananthapur, Dt. 20.03.2006.
7. Govt.Memo.No. 3/Vig/2004-6, Dated 25.09.2006.
8. From the COL, Proceedings No. R1/5125/2004, Dated 28.09.2006.
9. From the DG, ACB., Rc. No. 78/ RCT – ATP/2004 S14, Dt. 27.03.2010.
10. G.O.Ms.No.2, G.A. (Ser.C) Department, dated: 04.01.1999

ORDER:-

In the letter 1st read above, it has been brought to the notice of the Government that Sri Shaik Shavali, Assistant Commissioner of Labour, Anantapur was trapped by the Anti Corruption Bureau officials on 16.03.2004 when he demanded and accepted the bribe amount of Rs. 3,000/- from Sri P.Lakshminarayana. A case in Cr. No. 7/RCT-ATP/2004, u/s 7 of P.C. Act 1988 was registered.

2. In the 2nd read above, the Commissioner of Labour was requested to place of Sri B. Shaik Shavali, Assistant Commissioner of Labour, Anantapur under suspension from service. In the proceedings of Commissioner of Labour 3rd read above, the Accused Officer was suspended from service under sub rule (1) of Rule 8 of APCS (CCA) Rules, 1991.

3. In the 4th read above, the Director General, Anti Corruption Bureau in his final report has informed that the Accused Officer was trapped on 16.03.2004 at his office when he demanded and accepted an illegal gratification of Rs. 3,000/- from the complainant Sri P.Lakshminarayana, S/o P.Venkateswarlu, Managing Partner, Sri Lalitha Oils, Gooty, Anantapur District for doing official favour of canceling the final order dt.09.03.2004 passed by him in connection with the depositing of Rs. 37,335/- by the complainant towards difference amount of minimum wages to be paid to the labour and recommended prosecution in a court of law for the offences punishable U/sec. 7, 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988.

4. Accordingly, after examining the matter and based on the recommendations of the Director General, Anti Corruption Bureau, orders were issued to prosecute of Sri B. Shaik Shavali, Assistant Commissioner of Labour, Anantapur in a court of law vide Government order 5th read above.

5. In the representation reference 6th read above, Sri Shaik Shavali has requested to examine his case as per G.O.Ms.No. 86, General Administration Department, dated 08.03.94 as he is completed 2 years of suspension by 02.04.2006. In the reference 7th read above, orders were issued to reinstate Sri B. Shaik Shavali into service without prejudice to the prosecution case pending against him and to post him to a far off place in a non-focal post.

6. In the reference 9th read above, the Director General, Anti Corruption Bureau in his letter dated 27.03.2010 informed that the Additional Special Judge for SPE & Anti Corruption Bureau Cases, Hyderabad pronounced judgement on 27.11.2009 in C.C.No. 12/2006 convicting the Accused Officer Sri B.Shaik Shavali, Assistant Commissioner of Labour, Anantapur, Anantapur District. The Judge sentenced the Accused Officer Sri B.Shaik Shavali to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 2,000/- for the offence u/s 7 of the Prevention of Corruption Act, 1988 and in default of payment of fine, he has to suffer six months simple imprisonment. Further the Accused Officer was also sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 2,000/- for the offences u/s 13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988 and in default of payment of fine, he was ordered to suffer six months simple imprisonment. Both the sentences are ordered to run concurrently.

7. Government, after careful examination of the matter, and taking the material available into consideration have decided to impose the punishment of dismissal from service against Sri B.Shaik Shavali, Assistant Commissioner of Labour, Anantapur Under Rule 9 (x) read with Rule 25 (i) of A.P.C.S. (CC&A) Rules, 1991 read with the instructions issued in the reference 10th read above with immediate effect for having been convicted by the court of the Additional Special Judge for SPE & Anti Corruption Bureau Cases, City Civil Court, Hyderabad.

8. Accordingly, Government hereby direct that the penalty of dismissal from service Under Rule 9 (x) read with Rule 25 (i) of A.P.C.S. (CC&A) Rules, 1991 read with the instructions issued in G.O.Ms.No. 2, General Administration (Ser.C) Department dated 04.01 1999 be imposed with immediate effect against Sri B.Shaik Shavali, Assistant Commissioner of Labour, Anantapur.

9. The Commissioner of Labour, Hyderabad shall take further action in the matter immediately.

10. The following Notification shall be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of powers conferred Under Rule 9 (x) read with Rule 25 (i) of the A.P.C.S. (CCA) Rules, 1991 read with the instructions issued in G.O.Ms.No.2, General Administration (Ser.C) Department, dated:4.1.1999, the Governor of Andhra Pradesh hereby dismisses Sri B.Shaik Shavali, Assistant Commissioner of Labour, Anantapur from service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri B.Shaik Shavali, Assistant Commissioner of Labour, Anantapur District through
the Commissioner of Labour, Hyderabad.
The Commissioner of Labour, Hyderabad.
The Commissioner, Printing , Stationery & Stores purchase
(Printing Wing) Department, Hyderabad.
(with a request to publish in Andhra Pradesh Gazette and
to send 10 copies for record purposes)
The Director General, Anti Corruption Bureau, Hyderabad.
The Andhra Pradesh Vigilance Commission, Hyderabad.
The Andhra Pradesh Public Service Commission, Hyderabad.
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER